



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mei-Chiao Wu et al. Art Unit : 1651
Serial No. : 10/697,784 Examiner : Herbert J. Lilling
Filed : October 30, 2003
Title : PROCESS FOR PRODUCING A CULTURE OF ANTRODIA CAMPHORATA
AND PRODUCT OBTAINED THEREBY

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP

Applicants respectfully request that the inventorship of the above-captioned application be corrected. The application was filed naming **MEI-CHIAO WU** and **BOR-CHEH WANG** only as the inventors.

At the time of filing, applicants submitted a copy of the declaration from the parent application, which listed all four original inventors. Under 37 CFR 1.63(d)(2), applicants also submitted a statement (*see attached copy of the Preliminary Amendment, dated October 30, 2003*) deleting two of the original inventors who did not contribute to the claimed invention in the divisional application.

No fee is believed due. Please apply any charges to deposit account 06-1050, referencing attorney docket 08919-101001.

Date: _____

2-21-06

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mei-Chiao Wu et al.

Art Unit : Unknown

Serial No. : Not Yet Assigned

Examiner : Unknown

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Commissioner for Patents

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PRELIMINARY AMENDMENT

Prior to examination, please amend the application as indicated on the following pages..

CERTIFICATE OF MAILING BY EXPRESS MAIL

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October 30, 2003

Date of Deposit

Applicant : Mei-Chiao Wu et al.
Serial No. : Not Yet Assigned
Filed : October 30, 2003
Page : 2 of 5

Attorney's Docket No. 1702-003007 / PE-21602-3AM

Amendments to the Specification:

Please amend the paragraph which begins at page 1, line 4 as follows:

~~CROSS REFERENCE TO RELATED APPLICATIONS~~

This application is a divisional application of U.S. Application Serial No. 10/113,903, filed March 29, 2002 (currently pending), which is a continuation-in-part of U.S. Application Serial No. 09/566,834, filed May 8, 2000, which is the country equivalent of Taiwan application Serial No. 89102716, filed February 17, 2000, disclosure of which is incorporate herein by reference.

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1-37. (Cancelled).

38. (Currently Amended) A method for the treatment of cancer or tumor diseases in a patient in need of such treatment comprising administering to the patient a composition containing a product obtained from ~~the process according to claim 16~~ a process for obtaining a pharmacologically active composition from a culture of *A. camphorate*, the process comprising:

(a) inoculating a mycelial inoculum of an isolate of *A. camphorate* into a medium suitable for growth of said isolate;

(b) cultivating the culture resulting from step (a);

(c) removing a major portion of insoluble substances from the culture, whereby a pharmacologically active solution is harvested; and

(d) processing the solution from step (c) so as to obtain a pharmacologically active composition containing fungal molecules having molecular weights of no more than about 10kDa.

39. (Currently Amended) A method for the treatment of cancer or tumor diseases in a patient in need of such treatment comprising administering to the patient a composition containing a product obtained from ~~the process according to claim 19~~ a process for obtaining a pharmacologically active composition from a culture of *A. camphorate*, the process comprising:

(a) inoculating a mycelial inoculum of an isolate of *A. camphorate* into a medium suitable for growth of said isolate;

(b) cultivating the culture resulting from step (a);

(c) removing a major portion of insoluble substances from the culture, whereby an aqueous solution is harvested;

(d) processing the aqueous solution from step (c) so as to obtain a fraction containing fungal molecules having molecular weights of no more than about 1kDa; and

(e) passing the fraction from step (d) through a water-immiscible phase from which the pharmacologically active composition is obtained.

40. (Currently Amended) A ~~The method for the treatment of cancer or tumor diseases in a patient in need of such treatment comprising administering to the patient a composition containing a product obtained from the process according to claim 25 of claim 39, wherein the process further comprises performing a reverse-phase partition chromatography on the composition from step (e) to obtain pharmacologically active fractions.~~

REMARKS

This application is a division of U.S. Application Serial No. 10/113,903. An office action issued on July 16, 2003 in the '903 application imposed a six-way restriction requirement. Group II was elected. In this divisional application, Applicants have elected Group VI, i.e., claims 38-40, for prosecution and canceled all of the other claims. The elected claims, originally in dependent form, have been rewritten to incorporate the limitations recited in the claims they depend from. No new matter has been introduced.

Applicants have also amended the list of inventors on the cover page from

Mei-Chiao Wu, Hsin-Chu City, Taiwan
Ren-Chang Huang, Hua-Lian Hsien, Taiwan
Shie-Jea Lin, Hsin-Chu City, Taiwan
Bor-Cheh Wang, Hsin-Chu City, Taiwan

to

Mei-Chiao Wu, Hsin-Chu City, Taiwan
Bor-Cheh Wang, Hsin-Chu City, Taiwan

Note that the names of Ren-Chang Huang and Shie-Jea Lin have been deleted since they did not contribute to the invention claimed in this divisional application. Their contributions are limited to other claims originally presented in the '903 application.

Applicants submit that all of the pending claims are now in condition for examination, which action is requested. Please apply any other charges to Deposit Account No. 06-1050, referencing Attorney Docket No. 11702-003007.

Respectfully submitted,

Date: 10-30-03

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